

71-C-12

8

TITLE OF CASE				ATTORNEYS			
<del>GLOYD BEISSEL</del> and BONNIE BEISSEL VS THE UNITED STATES OF AMERICA Defendant and <del>Third Party Plaintiff</del>  VS  J. C. Nichols, a/k/a Jack Nichols <del>Jackie Nichols Third Party Defendant</del>				<b>For plaintiff:</b> Bill R. Scarth Bassmann, Gordon, Mayberry & Scarth 212 South Missouri Claremore, Oklahma 74107 (266-2681)			
				<b>For defendant:</b> Nathan G. Graham Robert P. Santee Jack Short  John R. Carle 417 W. 1st Street Claremore, Oklahoma 74017 (for 3rd pty)			
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 2-1-71	Clerk		1-21-71	Scarth	15 00		
			1-28-71	C.D.No.31		15 00	
J.S. 6 mailed 1-1-72	Marshal						
Basis of Action: Personal Injury	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-21-71	Complaint filed. Summons issued. r	
1-22-71	Summons, returned & filed: served U. S. Attorney at Tulsa, Ok., and served Attorney General, Wash. D. C. by certified mail. (USM \$3.00)g	
3-23-71	Answer, filed. m	
3-23-71	Third party complaint, filed. Summons issued. m	
4-9-71	Third party cummons, returned & filed: served J. C. Nichols, a/k/a Jack Nichols at Inola, Okla. 4-8-71 (USM \$11.88); Gloyd Beissel and Bonnie Beissel at Claremore, Ok. 4-8-71, (USM \$6.00)g	
4-26-71	Motion to drop third party defendant, filed. ds <i>mailed</i>	
4-26-71	Brief in support of motion to drop third party defendant, filed. ds <i>mailed</i>	
4-30-71	Copy of letter to Nathan G. Graham, U. S. Attorney for 3rd party-plaintiff respond to motion of defendant, J. C. Nichols' motion to drop third party defendant, with brief, within 10 days. (FD), filed. b	
5-3-71	Response to Motion to Drop Third-Party Defendants, filed. js	
5-10-71	Order of 5-7-71 filed, that J. C. Nichols, a/k/a Jack Nichols is dropped as a third-party defendant; that Jackie Nichols be substituted as third-party defendant; that J. C. Nichols, a/k/a Jack Nichols be appointed guardian ad litem for his son, Jackie Nichols, a minor. (Fred Daugherty - Judge) Copies mailed to counsel. b	
5-14-71	Ordered by the Court that this case is set for pre-trial on Thursday, June 10th, 1971 at 11:00 A. M. (Fred Daugherty - Judge) b	
5-24-71	Answer of Third party defendant, Jackie Nichols, filed. ds	
6-10-71	Case called for Pre-Trial hearing. Statements made. Parties represented. Third party deft. to file a Motion of Dismissal by Mr. Carle. Case stricken from Pre-Trial docket, pending filing of Motion and possible consolidation of related cases. (FD-J)r	
6-23-71	Motion to dismiss of 3d party defendant, Jackie Nichols, filed. ds <i>mailed</i>	
6-23-71	Brief in support of motion to dismiss, filed. ds	
6-25-71	Letter dated 6-23-71 from J.D. to Nathan G. Graham requesting response of Pltff to Motion to Dismiss of Third Party within 10 days. Filed. r	
7-2-71	Response of USA to motion of Third-Party Deft. to dismiss, filed. g	
7-9-71	Order, that the Third Party (Jackie Nichols is hereby dismissed and the deft. U.S.A. is allowed fifteen days from this date in which to file an amended answer in this case. Filed. (FD-J)r <i>Case moved to a ttg</i>	
7-20-71	Govt's Amended Answer, filed. r	
8-24-71	Case set for Pre-Trial Hearing on Wednesday, September 8, 1971 at 10:00 A.M. (FD-J)r	
9-8-71	Pre-Trial hearing held. Parties represented. Statements made. It is ordered by the Court that Case No. 71-C-13 be consolidated with this case. Pltff. requested that Gloyd Beissel (Father) be dropped, due to death. It is therefore granted. Counsel to exchange list of witnesses with summary by letter within 15 days from this date. Deft. offers Exhibits #1 and #2, Pltff. offers Exhibits #1 and #2 in to evidence. Pltff. directed to prepare Pre-Trial Order. Case to be on Non-Jury Trial Assignment. (FD-J)r	
10-18-71	Pretrial order, filed. (FD-J)m	
12-3-71	Case set for Non-Jury Trial on Tuesday, December 21, 1971 at 9:30 A.M. (FD-J)r	
12-16-71	Return on U.S. Marshals Service, Subpoena. Served Jackie Nichols in Tulsa, Okla., on 12-14-71, with fees of \$12.08, filed. v	
12-21-71	Case called for Non-Jury Trial. Parties announce ready. Pltff and Deft. makes opening statement. Pltff presents case with testimony of witnesses. Deft presents case with testimony. Parties rests. Court directs clerk to enter Judgment in favor of the Deft, dismissing action. (FD-J)r	

(OVER)

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-21-71	Judgment on decision by the court for the defendants and it is Ordered and adjudged that the pltf take nothing, that the action is dismissed on its merits, and debt recover of the pltfs, its costs of action, filed and entered. (JHP-Clerk) r (copies mailed to atts)	
12-21-71	Joint Exhibits, filed in exhibit room, r (#1 thru #9)	
12-21-71	Pltfs Exhibits, filed in exhibit room, r (#1 thru #5)	
12-21-71	Defts Exhibits, filed in exhibit room, r (#1 thru #4)	

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